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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. CR 16-00014 YGR
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER TO
	)	CONTINUE ARRAIGNMENT AND EXCLUDE
v.	)	TIME UNDER SPEEDY TRIAL ACT AND RULE
	)	5.1 FROM FEBRUARY 4, 2016, TO MARCH 17,
JESUS CORTES,	)	2016
	)	
Defendant.	)	
	)	
	)	

**STIPULATION**

Defendant Jesus Cortes is charged by Information in the above-referenced matter with possession with the intent to distribute controlled substances. The Government has provided copies of discovery in this matter to Cortes consisting of 28 discs containing law enforcement reports, audio recordings, and audio-video recordings. The parties hereby request additional time before the arraignment to allow defense counsel further time to review the discovery and confer with his client and the government regarding a potential disposition of the case. Furthermore, additional time is needed because Cortes is exploring the option of hiring private counsel in this case.

The arraignment in this matter is presently scheduled on February 4, 2016, and the parties hereby request that it be continued to March 17, 2016. The parties make this request to allow for reasonable

STIP. AND [PROPOSED] ORDER RESCHEDULING ARRAIGNMENT AND EXCLUDING TIME  
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1 time for the effective preparation of counsel. For all of the reasons stated, the parties believe that good  
2 cause exists to exclude and waive time under Federal Rule of Criminal Procedure 5.1(c) and (d) from  
3 February 4, 2016 through March 17, 2016, taking into account the public interest in the prompt  
4 disposition of a criminal case and the defendant's consent, and to exclude time under the Speedy Trial  
5 Act. 18 U.S.C. § 3161.

6 IT IS SO STIPULATED.

8 DATED: February 1, 2016

Respectfully submitted,

9 BRIAN J. STRETCH  
10 Acting United States Attorney

11 /s/  
12 AARON D. WEGNER  
Assistant United States Attorney

13 /s/  
14 PETER ARIAN  
15 Counsel for Jesus Cortes

16 **~~[PROPOSED]~~ ORDER**

17 For the reasons stated by the parties, the Court finds that the aforementioned request is supported  
18 by good cause and made with the consent of the defendant, Jesus Cortes. Fed. R. Crim. Proc. 5.1(c) and  
19 (d). The Court therefore finds that an exclusion of time between February 4, 2016 through March 17,  
20 2016, is merited under Federal Rules of Criminal Procedure Rule 5.1(c) and (d) and the Speedy Trial  
21 Act under 18 U.S.C. § 3161 and moves the date of the arraignment to March 17, 2016.

22 IT IS SO ORDERED.

23 DATED: February 2, 2016

24 Kandis Westmore  
25 HON. KANDIS A. WESTMORE  
26 United States Magistrate Judge  
27  
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